

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

ELISA COCHRAN,

Petitioner,

v.

LISA DODSON, WARDEN,

Respondent.

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1:04-cv-384
Edgar/Carter

JUDGMENT

For the reasons expressed in the Court's memorandum filed herewith, it is hereby
ORDERED:

- (1) The respondent's motion to dismiss [Court File No. 3] is **GRANTED**;
- (2) The petition [Court File No. 1] of Elisa Cochran ("petitioner"), for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** as time-barred.

Additionally, the Court has reviewed this case pursuant to 28 U.S.C. § 1915(a)(3) and Rule 24 of the FEDERAL RULES OF APPELLATE PROCEDURE and hereby **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. Therefore, any application by petitioner for leave to proceed *in forma pauperis* on appeal is **DENIED**. 28 U.S.C. § 1915(a)(3); FED. R. APP. P. 24.

If any appeal is taken from this action, such notice will be treated as an application for a certificate of appealability, which is hereby **DENIED** since petitioner has failed to make a substantial showing of the denial of a constitutional right or that jurists of reason would find it

debatable whether the district court was correct in its procedural ruling. 28 U.S.C. § 2253(c)(2); Rule 22(b) of the FEDERAL RULES OF APPELLATE PROCEDURE; *Slack v. McDaniel*, 529 U.S. 473 (2000). 28 U.S.C. § 2253(c)(2); Rule 22(b) of the FEDERAL RULES OF APPELLATE PROCEDURE.

This is a **FINAL JUDGMENT**

ENTER this *27th day of July, 2005*.

/s/ R. Allan Edgar
R. ALLAN EDGAR
CHIEF UNITED STATES DISTRICT JUDGE